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HOUSE BILL 1142 By  
DeBerry J

SENATE BILL 1548  
By Dixon

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 30, relative to admission or retention in the public schools of this state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3001(a), is amended by deleting the word "The", and by substituting instead the language "Except as provided in section 3, the".

SECTION 2. Tennessee Code Annotated, Section 49-6-3001(c)(2), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Has not been admitted to school or who has been dismissed from school because of disrespect for authority or extremely disruptive behavior and a parent or guardian refuses to accept responsibility for such student's behavior pursuant to the provisions of section 3.

SECTION 3. Tennessee Code Annotated, Section 49-6-3001, is amended by adding the following language as a new, appropriately designated subsection:

( ) (1) Notwithstanding the provisions of this section or any other law to the contrary, a child shall not be eligible for transfer or admission to a public school unless the child exhibits appropriate social behavior and respect for authority which a reasonable person would expect for the age and grade level of the child. A parent, guardian or other person residing within this state having control or charge of any child shall, at the beginning of each school year, or at the time a child is to be admitted to a public school, if at a different time than the beginning of the school year, be required to sign a personal responsibility statement in accordance with subdivision (2).

(2) The personal responsibility statement shall basically state:

(A) That the parent, guardian or person having control or charge of the child accepts the responsibility for teaching and reinforcing social skills and respect for authority appropriate for the child's age and grade level; and

(B) That if the child does not exhibit such social behavior and respect for authority the parent, guardian or person having control or charge of the child understands that the child will not be accepted for admission into the public schools or that if admitted, will be dismissed without authority to return until a new school year begins unless the provisions of subdivision (3) are satisfied.

(3) A child who is denied admission to a public school or who is dismissed because the child does not meet the requirements of subdivision (1) may be admitted or transferred to an alternative school if the parent, guardian or person having control or charge of the child agrees to pay the costs associated with placing and retaining the child in such alternative school. Failure of the parent, guardian or person having control or charge of the child to meet the financial obligation under this subdivision will result in the child's dismissal from the alternative school, and the child shall be ineligible to attend public school in this state until the beginning of the school year next following the child's dismissal from the alternative school.

(4) The state board of education shall develop appropriate personal responsibility forms to be used by the local board of education and develop a procedure to be followed by the local board of education to comply with the provisions of this act.

SECTION 4. This act shall take effect July 1, 2003, the public welfare requiring it.